

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
:
MOON CAPITAL MANAGEMENT LP,

:
:
Petitioner,

No. 07 CV 6002 (JGK)

:
:
-against-

:
:
GEK LANG LEE,

:
:
Respondent.
----- x

**RESPONDENT'S APPENDIX OF RECENT COURT AND
ARBITRATION DECISIONS DENYING ENFORCEMENT
OF RESTRICTIVE COVENANTS UNDER NEW YORK LAW**

**PADUANO & WEINTRAUB LLP
1251 Avenue of the Americas
Ninth Floor
New York, NY 10020
(212) 785-9100
(212) 785-9099 Fax**

Attorneys for Respondents

**RESPONDENT'S APPENDIX OF RECENT COURT AND
ARBITRATION DECISIONS DENYING ENFORCEMENT
OF RESTRICTIVE COVENANTS UNDER NEW YORK LAW**

1. BDO Seidman v. Hirshberg, 93 N.Y.2d 382, 690 N.Y.S.2d 854 (1999)
2. Weissman v. Transcontinental Printing U.S.A. Inc., 205 F. Supp.2d 415 (E.D.P.A. 2002)
3. Jay's Custom Stringing, Inc. v. Yu, 2001 WL 761067 (S.D.N.Y. 2001)
4. Heartland Securities Corp. V. Gerstenblatt, 2000 WL 303274 (S.D.N.Y. 2000)
5. Lucente v. International Business Machines Corp., 117 F.Supp.2d 336 (S.D.N.Y. 2000)
6. Mathias v. Jacobs, 2001 WL 1149017 (S.D.N.Y. 2001)
7. S.G. Cowen Securities Corp. v. Messih, 2000 WL 633434 (S.D.N.Y. 2000)
8. Earthweb, Inc. v. Schlack, 71 F.Supp.2d 299 (S.D.N.Y. 1999)
9. Buhler v. Michael P. Maloney Consulting, Inc., 2002 N.Y. Slip Op. 08097 (1st Dep't 2002)
10. IVI Environmental, Inc. v. McGovern, 269 A.D.2d 497, 707 N.Y.S.2d 107 (2nd Dep't 2000)
11. TMP Worldwide Inc. v. Franzino, 269 A.D.2d 332, 703 N.Y.S.2d 183 (1st Dep't 2000)
12. Healey, et al. v. Merrill Lynch, Pierce, Fenner & Smith, Inc., et al., 2001 WL 1004178 (N.A.S.D.)
13. GKN Securities, Inc. v. Newbridge Securities Corp., et al., 2001 WL 634573 (N.A.S.D.)
14. Golden Lender Financial Group, Inc. v. Majano, 2001 WL 393777 (N.A.S.D.)
15. Kavanagh v. Montrose Capital Management, Ltd., 2001 WL 1250357 (N.A.S.D.)
16. Labandeira v. GFI Securities, Inc., 2000 WL 1919923 (N.A.S.D.)

17. Campillay v. Cantor Fitzgerald & Co., Inc., 2000 WL 876519
18. Hussein v. Dean Witter Reynolds, Inc., 2000 WL 572512 (N.A.S.D.)
19. Greenman v. M.S. Farrell & Co., Inc., 2000 WL 726103 (N.A.S.D.)
20. Salomon Smith Barney Inc. v. Massey, No. 00-856 (N.Y. Sup. Ct. Onondaga Co. Feb. 17, 2000)
21. Salomon Smith Barney Inc. v. Hunter, No. 121077/00, (N.Y. Sup. Ct. N.Y. Co. Nov. 1, 2000)
22. Salomon Smith Barney Inc. v. Koch, No. 123181/94, (N.Y. Sup. Ct. N.Y. Co., Nov. 22, 2000)